

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

EFG BANK AG, CAYMAN BRANCH and
WELLS FARGO BANK, NATIONAL
ASSOCIATION, as securities intermediary for
EFG BANK AG, CAYMAN BRANCH,

Plaintiffs,

v.

JOHN HANCOCK LIFE INSURANCE
COMPANY (U.S.A.),

Defendant.

Civil Action No. 1:20-cv-04258-AKH

VICOF II TRUST; VIDA LONGEVITY
FUND, LP; LIFE ASSETS TRUST II S.A.
DELAWARE TRUST; VIDAQUANT
SUBFUND DELAWARE TRUST; VIDA
INSURANCE FUND II SERIES INTERESTS
OF THE SALI MULTI-SERIES FUND, LP;
WELLS FARGO BANK, NATIONAL
ASSOCIATION, as securities intermediary for
VICOF II TRUST, VIDA LONGEVITY
FUND, LP, LIFE ASSETS TRUST II S.A.
DELAWARE TRUST, VIDAQUANT
SUBFUND DELAWARE TRUST, and VIDA
INSURANCE FUND II SERIES INTERESTS
OF THE SALI MULTI-SERIES FUND, LP;
DLP MASTER TRUST; DLP MASTER
TRUST II; GWG DLP MASTER TRUST;
LIFE FUNDING TRUST; PF
PARTICIPATION FUNDING TRUST; and
PALM BEACH SETTLEMENT COMPANY,

Plaintiffs,

-against-

JOHN HANCOCK LIFE INSURANCE
COMPANY (U.S.A.),

Defendant.

Civil Action No. 1:20-cv-04256-AKH

VICOF II TRUST; VIDA LONGEVITY
FUND, LP; WELLS FARGO BANK,
NATIONAL ASSOCIATION, AS
SECURITIES INTERMEDIARY FOR
VICOF II TRUST AND VIDA
LONGEVITY FUND, LP; AND PF
PARTICIPATION FUNDING TRUST,

Plaintiffs,

v.

JOHN HANCOCK LIFE INSURANCE
COMPANY OF NEW YORK,

Defendant.

Civil Action No. 1:19-cv-11093 (AKH)

**[PROPOSED] ORDER REGARDING MOTION TO FILE UNDER SEAL PORTIONS
OF THE JOINT LETTER TO COURT REGARDING DISCOVERY DISPUTES
DATED AUGUST 25, 2021 AND CERTAIN EXHIBITS**

On August 30, 2021, pursuant to Rule 4.A and 4.B.ii of the Court’s Individual Rules of Practice, Paragraph 10 of the Stipulated Confidentiality Agreement and Protective Order entered in *VICOF II Trust, et al. v. John Hancock Life Insurance Company of New York*, Case No. 1:19-cv-11093 (AKH) (ECF No. 34),¹ and applicable law, Plaintiffs EFG Bank AG, Cayman Branch (“EFG”), VICOF II Trust, Vida Longevity Fund, LP, Life Assets Trust II S.A. Delaware Trust, Vidaquant Sub-Fund Delaware Trust, and Vida Insurance Fund II Series Interests of the SALI Multi-Series Fund, LP (collectively, the “Vida Funds”), and DLP Master Trust, DLP Master

¹ Similar provisions are provided in the protective orders entered by the Central District Court of California in the other two cases. See Stipulated Protective Orders, Paragraph 12.3, *VICOF II, et al. v. John Hancock Life Insurance Company (U.S.A.)*, Case No. 2:19-cv-10244-JAK-FFMx (ECF No. 25); Stipulated Protective Order, Paragraph 11.3, *EFG Bank AG, Cayman Branch, et al. v. John Hancock Life Insurance Company (U.S.A.)*, Case No. 2:19-cv-01696-JAK-FFMx (ECF No. 37).

Trust II, GWG DLP Master Trust, Life Funding Trust, PF Participation Funding Trust, and Palm Beach Settlement Company (collectively, “EAA Plaintiffs,” and together with the Vida Funds, “Plaintiffs”) moved the Court to authorize the sealed filing of Exhibits 8, 9, 15, and 16 to the parties’ August 25, 2021 Joint Letter to the Court regarding discovery disputes (“Joint Letter”) and the unredacted version of the Joint Letter containing references to Exhibits 8, 9, 15, and 16.

For the reasons set forth in Plaintiffs’ motion and the Declaration of Ingo Wichelhaus and Declaration of John Hendrickson submitted in support thereof, Plaintiffs’ motion to file under seal Exhibits 8, 9, 15, and 16 to the parties’ August 25, 2021 Joint Letter and the unredacted version of the Joint Letter containing references to Exhibits 8, 9, 15, and 16 is GRANTED.

IT IS SO ORDERED.

Dated: September 14, 2021

/s/ Alvin K. Hellerstein

HON. ALVIN K. HELLERSTEIN
U.S. DISTRICT COURT JUDGE